FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 51 OF 2006
WITH CRI. APPLICATION NO.52 OF 2006 & C.R.A.NO.136 OF 2006

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Noorseena Baig i/by Khan Abdul Wahab for the applicant.

Mr.A.S. Shringarpure, APP for the State.

CORAM : R.S. MOHITE,J.
DATED : 24/3/2006.

P.C.

1. Heard both sides.

2. This is an application for condonation of delay. The delay is of 16 months and 5 days in filing this application. On perusal of the application for condonation of delay, it is clear that there are substantial grounds which are mentioned in the application for condonation of said delay. The impugned judgment and order has been passed by the appellate court

on 9.8.2004. The ground made out is that on 1.9.1993 while the applicant was on bail he met with railway accident and was admitted in Nair Hospital and there after he was in Holy Spirit Hospital. On 29.9.1993 he was operated there four times for bone grafting, leg planting, hand surgery and rod plantation. On 19.11.1993, he was admitted in Nanavati Hospital. After discharge he was again admitted in the said hospital on 2.1.1994 where he remained as indoor patient for about four months and even thereafter his medical problems continued. Again he was operated on 27.8.1994 in the said hospital. The applicant is still suffering from lack of sensation in his left hand and both the legs. No reply is filed by the State. Taking into account the averments made in the application and which are accepted, delay is condoned.

C.R.A.NO.136 OF 2006

1. Heard both sides.

2. Rule.

3. Call for Record and proceeding.

Cri. Application No.52/2006

1. Heard both sides. Grievance made by the A.P.P. is that though the appeal filed by the applicant was rejected, the applicant has not surrendered. Today the applicant is present in court. In my view, since non bailable warrant is pending against him, the applicant is directed to surrender today. The Advocate for the applicant states that the applicant will surrender today. List the matter after one week for consideration on merits.

(R. S. MOHITE, J.)